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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,582	07/09/2003	Eric Raffaele	B-4504DIV 621038-6	1312

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HEWLETT-PACKARD COMPANY
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EXAMINER

GORTAYO, DANGELINO N

ART UNIT	PAPER NUMBER
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2168

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/616,582	Applicant(s) RAFFAELE ET AL.	
	Examiner Dangelino N. Gortayo	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,12,13,15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,12,13,15 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In the amendment filed on 11/1/2006, claim 3 has been amended and claims 16 has been added. The currently pending claims considered below are Claims 1-3, 12-13, 15-16.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 16 recites the limitation "said user's computer" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-3, 12-13, 15, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Mendez et al. ("Mendez" US Patent 6,708,221 B1)

As per claim 1, Mendez teaches "A process for executing a downloadable service with specific access rights to at least one profile file in a user's computer," (see Abstract, column 2 line 49 – column 3 line 30, and column 12 lines 46-53, wherein a service is requested, retrieved, and executed by a remote terminal from a global server based on user configuration and data) "said computer comprising a web browser communication to the Internet or intranet via a first communication port and socket," (column 2 lines 45-48, column 7 lines 22-50, wherein an operating system in a remote terminal includes a web engine for communicating with a global server through the Internet and communications engine for communication)

"said process being characterized in that it involves the steps of: arranging a continued run time environment which is assigned a second communication port and socket and providing restricted access to at least one profile file;" (column 10 lines 4-19, column 13 lines 1-36, lines 51-67, wherein the global server and the remote terminal are connected via a secure communications channel, and the global server acts as a proxy to the service, after authentication)

"downloading said service through said second communication port so that it is received by said confined run time environment;" (column 8 lines 41-54, column 13 lines 37-50, wherein a remote terminal downloads service data from a global service after authentication information is processed)

"and executing said service within said confined run time environment whereby said service is given an access to said at least one profile file in a secure environment." (column 10 lines 16-19, column 12 lines 46-65, column 14 lines 1-63, wherein a service is initialized if it is not already running, and creates an instance of the service within the remote terminal based on configuration information in an applet)

As per claim 2, Mendez teaches "said confined run time environment is an extended sandbox having restrictive access to said at least one profile file." (column 8 lines 47-54, "security applet")

As per claim 3, Mendez teaches "the service is downloaded under the form of a set of java code containing class structures packaged within a signed archive file; wherein three parts compose the service: remote Internet data, a list of requested data that are needed to personalise the service, and code to sort remote Internet data using requested accessible data." (Figure 10 reference 1030 and column 12 lines 46-65, wherein an applet is downloaded to identify, configure, and execute the service)

As per claim 13, the claim is rejected on the same grounds of claim 1 above. Additionally, Mendez teaches "A transaction aid for assisting a transaction between an user and at least one remote server, said transaction aid comprising program code elements" (column 7 lines 1-6 "applets")

As per claim 15, the claim is rejected on the same grounds of claim 1 above. Additionally, Mendez teaches "A transaction aid computer program product having program code elements" (column 7 lines 1-6 "applets")

As per claim 16, Mendez teaches “A process for executing a downloadable service with specific access rights to at least one profile file in said user’s computer,” (see Abstract, column 2 line 49 – column 3 line 30, and column 12 lines 46-53, wherein a service is requested, retrieved, and executed by a remote terminal from a global server based on user configuration and data) “said computer comprising a web browser communication to the Internet or intranet via a first communication port and socket,” (column 2 lines 45-48, column 7 lines 36-50, wherein an operating system in a remote terminal includes a web engine for communicating with a global server through the Internet)

“said process being characterized in that it involves the steps of: arranging a continued run time environment which is assigned a second communication port and socket and providing restricted access to at least one profile file;” (column 10 lines 4-19, column 13 lines 1-36, lines 51-67, wherein the global server and the remote terminal are connected via a secure communications channel, and the global server acts as a proxy to the service, after authentication)

“downloading said service through said second communication port so that it is received by said confined run time environment;” (column 8 lines 41-54, column 13 lines 37-50, wherein a remote terminal downloads service data from a global service after authentication information is processed)

“and executing said service within said confined run time environment whereby said service is given an access to said at least one profile file in a secure environment.” (column 10 lines 16-19, column 12 lines 46-65, column 14 lines 1-63, wherein a service

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is initialized if it is not already running, and creates an instance of the service within the remote terminal based on configuration information in an applet)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over by Mendez et al. ("Mendez" US Patent 6,708,221 B1) in view of Arent ("Arent" US Patent 6,018,724)

As per claim 12, Mendez discloses the claimed subject matter in claim 1 above.

Mendez does not teach "said downloadable service is an authentication service cooperating with a smart card."

Arent teaches "said downloadable service is an authentication service cooperating with a smart card." (column 10 lines 53-60, wherein personal information for authentication is stored on a smart card). It would have been obvious at the time of the invention for one of ordinary skill in the art to combine Mendez's method of executing services from a server based on user information on a client computer with Arent's ability to authenticate a user's identity using data in a smart card. This gives the user the benefit of portability when trying to securely access services remotely. The

motivation for doing so would be to reduce the likelihood of unwanted intrusion when accessing secure data (column 1 lines 50-54).

Response to Arguments

8. Applicant's arguments, see page 4, filed 11/1/2006, with respect to the 35 USC 102(e) rejection, have been fully considered but they are not persuasive.

a. Applicant's argument is stated as Mendez does not disclose a process for executing a downloadable service with specific access rights to at least one profile in a user's computer.

In regards to the argument, Examiner respectfully disagrees. The abstract of Mendez is directed to a client, or remote terminal, with the ability to download and execute services that may be stored in a global server, based on identifying and authenticating a user. In column 2 line 49 – column 3 line 30, Mendez teaches that service engines for such services as e-mail management, bookmark management, calendaring, and network access can be stored in a global server. The services on a global server are accessible to a user with the proper access rights, through authentication and user preferences. A client, or remote terminal, contains workspace data that identifies a user through client configuration found in workspace data. Therefore, Mendez teaches a process for executing a downloadable service with specific access rights to at least one profile in a user's

computer. Additionally, the limitation as outlined is part of the preamble of an independent claim, which holds little patentable weight.

b. Applicants argument is stated as Mendez does not disclose said computer comprising a web browser communication to the internet or intranet via a first communications port and socket.

In regards to the argument, Examiner respectfully disagrees. In column 2 lines 45-48 and column 7 lines 22-50, Mendez discloses a user operating on a remote terminal connected via a computer network such as the Internet to communicate with a global server. The remote terminal includes an operating system in a remote terminal that includes a web engine for communicating with a global server through the Internet and a communications engine that manages communication via a communications interface. Therefore, Mendez teaches said computer comprising a web browser communication to the internet or intranet via a first communications port and socket.

c. Applicants argument is stated as Mendez does not disclose arranging a confined run time environment which is assigned a second communication port and socket and providing a restricted access to at least one profile file.

In regards to the argument, Examiner respectfully disagrees. In column 10 lines 4-19, column 13 lines 1-36, lines 51-67, Mendez teaches that a global server and a remote terminal are connected via a secure communications

channel that creates a specific communications channel. Then, an applet in the remote terminal is used to specify user data and provide access to a global server for user information found in workspace data. An applet, when executed, provides an interface for the selected service within a remote terminal, and is equivalent to a confined run time environment, as defined in column 7 lines 2-6. An applet can also create the connection between a remote terminal and a global server, for service retrieval (column 13 lines 51-67). All of this is accomplished via the specific communications channel set up between the global server and the remote terminal. In column 12 lines 19-45, Mendez also shows how a remote terminal creates a communications link with a global server based on user access privileges data, which the remote terminal sends to a global server. Therefore, Mendez teaches arranging a confined run time environment which is assigned a second communication port and socket and providing a restricted access to at least one profile file.

d. Applicants argument is stated as Mendez does not disclose downloading said service through said second communications port so that it is received by said confined run time environment.

In regards to the argument, Examiner respectfully disagrees. In column 13 lines 37-50, Mendez teaches that a web service can be downloaded once an exclusive configuration applet is executed and retrieves the service, through the specific communications channel between the remote terminal and the global

server. Specifically, the applet itself, acting as in I/O interface, acts as the second communications port for a remote terminal to download a service that may be found on a global server, with the service creating an instance in the remote terminal. Therefore, Mendez teaches downloading said service through said second communications port so that it is received by said confined run time environment.

e. Applicants argument is stated as Mendez does not disclose executing said service within said confined run time environment whereby said service is given an access to said at least one profile file in a secure environment.

In regards to the argument, Examiner respectfully disagrees. Mendez teaches the execution of a web service by a remote terminal, downloaded from a global server, in column 12 lines 46-65 and column 14 lines 1-63. Specifically, a service is initialized if it is not already running in the remote terminal, and creates an instance of the service within the remote terminal based on configuration information in an applet. The service then uses user information found in workspace data (profile file analogue) to execute the service with the user in mind. Therefore, Mendez teaches executing said service within said confined run time environment whereby said service is given an access to said at least one profile file in a secure environment.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dangelino N. Gortayo whose telephone number is (571)272-7204. The examiner can normally be reached on M-F 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dangelino N. Gortayo
Examiner



Tim T. Vo
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